

EVENTS	DATES
<p><b>Selection of Depository:</b></p> <p>In order to conveniently and economically implement the Government decision regarding sale of upto 10% shares to the employees of AI and subsequent sale of 10% shares to financial institutions and/or on the share market, it was decided to appoint a Depository, who would undertake the necessary steps for dematerialization of shares of Air India.</p> <p>The same Selection Committee constituted for selection of a Registrar and Depository Participant was retained for selection of the Depository.</p> <p>The only two Depositories in the country.viz., M/s Central Depository Services (India)Ltd, (CDSL) and M/s National Securities Depository Ltd. (NSDL) were requested to appear before the Selection Committee to make their presentations. Both the parties made their presentations. M/s Central Depository Services (India) Ltd. (CDSL) was recommended for appointment as the Depository.</p>	<p>25.06.2001 (letters to parties), 28.06.2001 (presentation and selection).</p>

**Examination of Samatha case regarding mining lease  
before disinvestment of BALCO**

1523. DR. BIPLAB DASGUPTA: Will the Minister of DISINVESTMENT be pleased to state:

(a) whether Supreme Court had decided in the Samatha case against giving the mining lease of Government land in scheduled areas to non-tribals;

(b) whether this judgement was kept in view and its implications critically examined before taking the disinvestment decision of BALCO;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE DEPARTMENT OF DISINVESTMENT (SHRI ARUN SHOURIE): (a) The Samatha judgement

had interpreted the Andhra Pradesh Scheduled Areas Land Transfer Regulations, 1959, and held that any transfer of land in the areas notified as per the Fifth Schedule to the Constitution (Scheduled Areas) in favour of non-tribals on mining lease was void in Andhra Pradesh. The Samatha judgement also gave certain direction to be followed by other States that had areas notified under the Fifth Schedule.

(b) Yes, Sir.

(c) and (d) In the State of Chhattisgarh (or the erstwhile State of Madhya Pradesh), necessary Regulations have not been made by the State Government under para 5(2) the Fifth Schedule of the Constitution, as was done in Andhra Pradesh. The Madhya Pradesh Land Revenue Code, 1959 also does not ban the transfer of land by way of a lease. Besides, land allotted to BALCO continues to remain with BALCO. As such, disinvestment in BALCO is not attracted by Samatha Judgement. As they have been challenged, all these issues are pending before the Hon'ble Supreme Court.

### **Disinvestment of NALCO**

1524. SHRI ANANTA SETHI: Will the Minister of DISINVESTMENT be pleased to state:

(a) whether Government have a proposal to go in for the disinvestment of NALCO;

(b) whether the process has been started;

(c) if so, the reasons therefore;

(d) the amount expected to be earned from the disinvestment of NALCO; and

(e) the details thereof?

THE MINISTER OF STATE OF THE DEPARTMENT OF DISINVESTMENT (SHRI ARUN SHOURIE): (a) No, Sir. No decision about disinvestment in NALCO has been taken.

(b) to (e) Do not arise.